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DE RUEHLM #1651/01 2820945
ZNY CCCCC ZZH
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FM AMEMBASSY COLOMBO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4432
INFO RUEHRL/AMEMBASSY BERLIN 0059
RUEHIL/AMEMBASSY ISLAMABAD 6392
RUEHKT/AMEMBASSY KATHMANDU 4439
RUEHLO/AMEMBASSY LONDON 3237
RUEHNE/AMEMBASSY NEW DELHI 0043
RUEHNY/AMEMBASSY OSLO 3328
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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 001651

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E.O. 12958: DECL: 10/09/2016

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SUBJECT: PRESIDENT RAJAPAKSE AFFIRMS TO CO-CHAIRS SRI
LANKA'S READINESS TO RETURN TO PEACE TALKS AND ENGAGE ON
HUMAN RIGHTS AND NGO ISSUES

REF: COLOMBO 1648

Classified By: Ambassador Robert O. Blake, Jr. for reasons
1.4 (b) and (d).

Summary

1. (C) In a meeting with Co-Chair Ambassadors on October 9, Sri Lankan President Rajapakse confirmed the Government of Sri Lanka is ready to attend peace talks with the LTTE on October 28, does not plan a military offensive, but will defend itself. Norwegian Ambassador Brattskar told the President he plans to go to Killinochi on Tuesday October 10 to try to nail down the LTTE's acceptance of the October 28-30 dates. EU Head of Mission Wilson welcomed the positive meetings the GSL had had with Mona Rishmawi, the Special Advisor to the UN High Commissioner for Human Rights regarding the proposed Human Rights Commission of Inquiry and stated it would be important for the GSL to agree with the High Commissioner's staff on the Terms of Reference for the Commission and the international monitors. Human Rights Minister Samarasinghe responded that he would study the recommendations this week with a view to making them work. With respect to NGO matters, the President agreed to a Co-Chairs' proposal for a bi-weekly meeting between Defense Secretary Rajapakse, Minister of Disaster Management and

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Human Rights Samarasinghe and Commissioner General of Essential Services Diyaratne and the UN (as head of the Inter-Agency Standing Committee), the head of the ICRC in Sri Lanka, and the Chair of the Bilateral Donors Group in Sri Lanka, to focus on outstanding operational issues. End Summary.

Participants: Joining President Rajapakse were Foreign Minister Samaweera, Minister of Disaster Management and Human Rights Samarasinghe, Presidential Secretary Wiretunga, Peace

Secretariat Director Kohona, and Foreign Secretary

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Palihakkara.

GSL Ready for Talks

12. (C) In keeping with past practice, German Ambassador Weerth spoke for the Co-Chairs and the EU, which hosted the last round of Co-Chair talks (Finland does not have an Ambassador in Colombo). Weerth thanked the President for receiving the Co-Chair Ambassadors and congratulated him both on his decision to attend peace talks on October 28 and on the agreement between the SLFP and UNP parties on a common minimum program. Weerth noted that October 28 is a long way away and expressed the Co-Chairs' strong hope that both sides would desist from hostilities so the talks could go forward. President Rajapakse reaffirmed the Government of Sri Lanka's (GSL) readiness to attend talks with the LTTE at the end of October, but remarked that the GSL had not received confirmation the LTTE would attend. With respect to military action, he stated that Sri Lankan forces are not going on an offensive, only defending themselves. He complained that four LTTE ships were off the coast of Sri Lanka attempting to bring in arms to the LTTE. He repeated the GSL's long-standing concern that the LTTE is not serious about peace and only uses the ceasefire periods afforded by talks to rearm themselves. He also expressed concern the LTTE might engage in an offensive in the north or east, noting for example that the LTTE was firing on GSL forces at night, building bunkers, "so these things must be stopped." Nonetheless, he said "we are ready for talks." EU Head of Mission Wilson welcomed the President's statement that he does not plan an offensive and suggested the President make a public statement to that effect to ensure military restraint.

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13. (C) Foreign Minister Samaweera clarified that the President's commitment to peace talks remains "unwavering" despite the ongoing violence by the LTTE. As an example, he pointed to the GSL's refusal to agree to three principles advocated by the JVP, the party the GSL relies on for political support. Those were the JVP's call for the removal of Norway as the facilitator, the abrogation of the ceasefire, and other unspecified JVP conditions on the negotiations. The President's actions show he is more committed to peace than political expediency, the Foreign Minister argued.

14. (C) Responding to the question of the LTTE's readiness for talks, Norwegian Ambassador Brattskar told the President the LTTE had told Norway they are ready for talks anytime in October. He said he plans to go to Killinochi on Tuesday October 10 to try to nail down the LTTE's acceptance of the October 28-30 dates. Brattskar noted, however, that the LTTE is very concerned the GSL plans to undertake a military offensive and wants the Sri Lankan Monitoring Mission to be given full access to all conflict areas. Peace Secretariat Director Kohona said that all but one SLMM request for access had been granted, and that one had been refused out of concern for the SLMM's safety, which is the responsibility of the GSL. Brattskar declined to engage on specific issues, suggesting instead that the GSL meet with the SLMM Head of Mission, which the GSL said they would do. Kohona added that while a ceasefire was not a GSL condition for talks, it would help create a good climate for talks.

15. (C) Japanese Ambassador Araki briefed on Special Envoy Akashi's planned visit to the island on October 15-19, during which time he hoped to meet with the President and the LTTE. Rajapakse responded he would be glad to see Akashi, but said Akashi should demand to see Prabakaran. Araki said they would request such a meeting. Ambassador Blake briefed on

A/S Boucher's planned visit to Colombo on October 19-20. Rajapakse welcomed the Boucher visit and joked it falls one day after his own birthday on October 18.

Human Rights: Importance of Getting TOR Right

¶6. (C) EU Head of Mission Wilson welcomed on behalf of the Co-Chairs Rajapakse's initiative to establish a Human Rights Commission of Inquiry with the participation of international observers. He said it would be important for the Commission to meet international standards. In that regard, Wilson welcomed the meetings the GSL had had with Mona Rishmawi, the Special Advisor to the UN High Commissioner for Human Rights (reftel) and stated it would be important for the GSL to agree with the High Commissioner's staff on the Terms of Reference for the Commission and the monitors. Human Rights Minister Samarasinghe responded that he had met with Rishmawi, had received her comments and planned to use the next week to study the recommendations and "make them work." Wilson welcomed that commitment and told Samarasinghe that once the GSL and Arbor's office had reached agreement on the TOR, the EU and other countries would nominate their observers to the Commission.

Importance of NGO Security and Access

¶7. (C) Wilson told President Rajapakse that the Co-Chairs' third area of concern was to ensure the security of and access for international NGOs working in Sri Lanka. He made two specific suggestions:

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-- first, that Defense Secretary Rajapakse, Minister of Disaster Management and Human Rights Samarasinghe and Commissioner General of Essential Services Diyaratne meet every two weeks in private with the UN (as head of the Inter-Agency Standing Committee), the head of the ICRC in Sri Lanka, and the Chair of the Bilateral Donors Group in Sri Lanka, to focus on outstanding operational issues. Rajapakse stated that he thought such meetings already were taking place. Samarasinghe said they were but at a lower level. After a brief consultation, the President agreed to the proposed high level meeting.

-- Second, that President Rajapakse make a public statement affirming the importance of the work of international NGOs. Samarasinghe thought that such a statement would be possible.

Comment

¶8. (C) This meeting marked a constructive step forward by the President and his team on the peace process, human rights and NGO issues. But continued engagement will be necessary both to help the President check those in the military who are pressing for continued military action, and ensure that the Terms of Reference for the Human Rights Commission of Inquiry meet international standards. The Akashi and Boucher visits will provide good opportunities for continued high level engagement by the Co-Chairs on these issues.

BLAKE